

Notice of Allowability

Application No.

10/021,255

Applicant(s)

PLATT ET AL.

Examiner

Melissa M. Chojnacki

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment of October 11, 2005.
2. ☒ The allowed claim(s) is/are 1-34 and 48-62.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

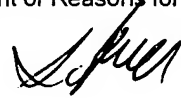
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
- ☐ Examiner's Amendment/Comment
- ☒ Examiner's Statement of Reasons for Allowance
- ☐ Other _____


Sam Rimell
Primary Examiner
Art Unit: 2164

DETAILED ACTION

Remarks

1. In response to communications filed on October 11, 2005, claims 35-47 have been cancelled; claims 1, 9-10, 12, 15-18, 26-27, 29, 32-34 and 49 have been amended, and new claims 50-62 have been added per applicant's request. Therefore, claims 1-34 and 48-62 are presently pending in the application.

Allowable Subject Matter

2. Claims 1-34 and 48-62 are allowed.

3. The following is an examiner's statement of reasons for allowance:

The Appellants' arguments in the Amendment on October 11, 2005, have been fully considered and are found persuasive.

The prior art of record over Bhandari et al. (U.S. Patent No. 5,865,464), in view of Loui et al., '99, as applied to claims 10, 27, 35-41 and 46 above, and further in view of publication, "Automatic Image Event Segmentation and Quality Screening for Albuming Applications," by Loui et al. published by IEEE International Conference on multimedia and Expo, 2000 (hereinafter, Loui et al. '00), does not teach, disclose or suggest:

A method of organizing media objects in a database wherein the step of inferring includes a step of determining whether data associated with the captured media object exceeds an adaptive threshold, wherein the adaptive threshold is based on a running average of log time gaps between media objects, as claimed in independent claim 26.

Claims 2-8, 48 and 50 are allowed because they are dependent on independent claim 1.

A method of organizing media objects in a database wherein comparing the date with adaptive threshold date information, wherein the adaptive threshold is based on a running average of log time gaps between photographs and wherein the step of inferring includes a step of determining whether the date is within the adaptive threshold date information, wherein the adaptive threshold is based on a running average of log time gaps between media objects, as claimed in independent claim 9.

Claims 11 and 51 are allowed because they are dependent on independent claim 9.

A method of organizing media objects in a database wherein the step of inferring includes a step of determining whether the date on which the captured media object was captured is within an adaptive threshold range, wherein the adaptive threshold is based on a running average of log time gaps between media objects, as claimed in independent claim 10.

Claim 52 is allowed because they are dependent on independent claim 10.

A method of organizing media objects in a database wherein the step of inferring includes a step of determining whether data associated with the captured media object

exceeds an adaptive threshold, wherein the adaptive threshold is based on a running average of log time gaps between media objects, as claimed in independent claim 12.

Claims 13-14 and 53 are allowed because they are dependent on independent claim 12.

A method of organizing media objects in a database wherein the step of inferring includes a step of determining whether data associated with the captured media object exceeds an adaptive threshold, wherein the adaptive threshold is based on a running average of log time gaps between media objects, as claimed in independent claim 15.

Claim 54 is allowed because they are dependent on independent claim 15.

A method of organizing media objects in a database wherein the step of inferring includes a step of determining whether data associated with the captured media object exceeds an adaptive threshold, wherein the adaptive threshold is based on a running average of log time gaps between media objects, as claimed in independent claim 16.

Claim 55 is allowed because they are dependent on independent claim 16.

A method of organizing media objects in a database wherein the step of inferring includes a step of determining whether data associated with the captured media object exceeds an adaptive threshold, wherein the adaptive threshold is based on a running average of log time gaps between media objects, as claimed in independent claim 17.

Claim 56 is allowed because they are dependent on independent claim 17.

A computer-readable medium having computer-executable instructions, wherein the step of inferring includes a step of determining whether data associated with the captured media object exceeds an adaptive threshold, wherein the adaptive threshold is based on a running average of log time gaps between media objects, as claimed in independent claim 18.

Claims 19-25 and 57 are allowed because they are dependent on independent claim 18.

A computer-readable medium having computer-executable instructions, wherein the step of inferring includes a step of determining whether the date is within the adaptive threshold date information, wherein the adaptive threshold is based on a running average of log time gaps between media objects, as claimed in independent claim 26.

Claim 58 is allowed because they are dependent on independent claim 26.

A computer-readable medium having computer-executable instructions, wherein the step of inferring includes a step of determining whether the date on which the captured media object was captured is within an adaptive threshold range, wherein the adaptive threshold is based on a running average of log time gaps between media objects, as claimed in independent claim 27.

Claims 28 and 59 are allowed because they are dependent on independent claim 27.

A computer-readable medium having computer-executable instructions, wherein the step of inferring includes a step of determining whether data associated with the captured media object exceeds an adaptive threshold, wherein the adaptive threshold is based on a running average of log time gaps between media objects, as claimed in independent claim 29.

Claims 30-31 and 60 are allowed because they are dependent on independent claim 29.

A computer-readable medium having computer-executable instructions, wherein the step of inferring includes a step of determining whether data associated with the captured media object exceeds an adaptive threshold, wherein the adaptive threshold is based on a running average of log time gaps between media objects, as claimed in independent claims 32-34.

Claim 61 is allowed because they are dependent on independent claim 34.

A method of organizing media objects in a database wherein the step of determining where the capture media object is to be stored further comprises the step of computing an adaptive threshold, wherein the adaptive threshold is based on a running average of log time gaps between media objects, as claimed in independent claim 49.

Claim 62 is allowed because they are dependent on independent claim 49.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mellissa M. Chojnacki whose telephone number is (571) 272-4076. The examiner can normally be reached on 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


SAM RIMELL
PRIMARY EXAMINER

December 16, 2005